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GOOGLE INC.

12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA
14 SAN FRANCISCO DIVISION

15 ORACLE AMERICA, INC.,
16 Plaintiffs,
17 v.
18 GOOGLE INC.,
19 Defendant.

Case No. CV 10-03561 WHA

**[PROPOSED] ORDER GRANTING
DEFENDANT'S MOTION TO PRECLUDE
SUBMISSION OF THE ISSUE OF
WILLFULNESS TO THE JURY ABSENT
AN ELECTION OF STATUTORY
DAMAGES**

Date: September 10, 2015
Time: 8:00 a.m.
Dept. Courtroom 8, 19th Floor
Judge: Hon. William Alsup

1 Before the Court is Defendant Google Inc.'s Motion to Preclude Submission of the Issue
2 of Willfulness to the Jury Absent an Election of Statutory Damages. Having considered the
3 Motion, the pleadings on file and any other relevant materials, the Court hereby **GRANTS**
4 Google's Motion. The Court hereby **PRECLUDES** the submission of the issue of willfulness to
5 the jury, unless and until Oracle elects to receive an award of statutory damages "instead of actual
6 damages and profits" under 17 U.S.C. § 504(c)(a).
7

8 **IT IS SO ORDERED.**

9 Dated:

10 By: _____
11 HON. WILLIAM ALSUP
12 UNITED STATES DISTRICT JUDGE
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